

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 364 of 2005

Between:

V.Narayana Rao, S/o.Sri.Ramakrishna Rao

Occ.Technical Work Inspector, R/o.34-4-18, Mangalavarapupet,

Opp.Bharata Matha Statue, Rajahmundry, E.G.District.

..... PETITIONER

AND

1. The Executive Engineer, East Godavari District Scheduled Castes,
Co-operative Society Ltd, Kakinada.

2 The Chairman, East Godavari District Scheduled Castes,
Co-operative Society Ltd, Kakinada.

[District Collector, East Godavari District]

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction in the nature of Mandamus or otherwise declaring the inaction of the respondents herein in not fixing the basic pay and pay scale of the petitioner on par with his juniors as directed by this Court in W.A.No.709 of 1997 dated 10.07.1997 is clearly illegal, against principles of natural justice and Article 14 of the Constitution of India i.e right to equality and consequently direct the respondents herein to fix the basic pay of the petitioner herein in the time scale at appropriate stage on par with his juniors and also to grant terminal benefits pay the differential amount due to the petitioner from the date of reinstatement till date of

payment and all other attendant benefits like leave, leave encashment, medical benefits, LTC etc. as are due and payable to the petitioner.

Counsel for the Petitioner:MR.VILAS V.AFZULPURKAR

Counsel for the Respondent Nos.1 and 2: GP FOR COOPERATION

The Court at the admission stage made the following Order:

This writ petition is filed to declare the action of the respondents in not fixing the basic pay and pay scale of the petitioner on par with his juniors as directed by this Court in W.A.No.709 of 1997 dated 10.07.1997 as illegal and against the principals of natural justice.

Earlier, the petitioner filed W.P.No.12801 of 1991 seeking a direction to the first respondent to take back the petitioner into service as Work Inspector treating his date of joining in service as 04.04.1986 instead of 17.12.1987, with all consequential benefits. This Court by order dated 15.12.1995 allowed the writ petition. More or less for the relief the petitioner filed the present writ petition. The petitioner cannot be permitted to file successive writ petitions in respect of the same cause. The writ petition is liable to be dismissed on the ground of principles of *res judicata*.

The writ petition is accordingly dismissed at the stage of admission. No costs.

20.01.2005

usd

To

1. The Executive Engineer, East Godavari District Scheduled Castes,
Co-operative Society Ltd, Kakinada.

2 The Chairman, East Godavari District Scheduled Castes,

Co-operative Society Ltd, Kakinada [District Collector, East Godavari District].

3. Two CCs to G.P. for Cooperation, A.P.High Court Buildings, Hyderabad (OUT).
4. Two CD copies.